



8-21-02

PTO/SB/29 (10-00)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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(2mex)
CPA
AR dated
9/8/02

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:
 DUPLICATE

Address to: Assistant Commissioner for Patents
Box CPA
Washington, D. C. 20231

TECHNOLOGY CENTER

AUG 22 2002

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Attorney Docket No. of Prior Application 042390P7794First Named Inventor Anand Murthy et al.Examiner Name Eugene LeeGroup Art Unit 2815Express Mail Label No. EL 821 774 952 USThis is a request for a continuation or divisional under 37 CFR 1.53(d)(continuation prosecution application (CPA)) of prior application No: 09/475,452,filed on December 30, 1999, entitled A NOVEL MOS TRANSISTOR STRUCTURE AND METHOD OF FABRICATION.

If the Patent and Trademark Office determines that this request under 37 CFR 1.53(d) is improper, the Office is requested to treat this CPA as a request for continued examination of the above identified application under 37 CFR 1.114.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application practice," Final rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed: 08/22/2002 BNGUYEN1 00000101 09475452

a. <input type="checkbox"/> PTO - 1449	01 FC:116	400.00 OP
b. <input type="checkbox"/> Copies of IDS Citations	02 FC:131	740.00 OP

CLAIMS

(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
Total Claims (37 CFR 1.16(c) or (j))	<u>14</u>	<u>0</u>	X <u>\$18.00</u>	= <u>\$ 0.00</u>
Independent Claims (37 CFR 1.16(b) or (j))	<u>2</u>	<u>0</u>	X <u>\$84.00</u>	= <u>\$ 0.00</u>
Multiple Dependent Claims (if applicable) (37 CFR 1.16(d))			+ <u>\$280.00</u>	= <u>\$ 0.00</u>
			BASIC FEE (37 CFR 1.16(a))	<u>\$ 740.00</u>

 Total of above Calculations = \$ 740.00

Reduction by 50% for filing by small entity (Note 37 CFR 1.27).

 TOTAL = \$ 740.00

* Reissue claims in excess of 20 and over original patent.

** Reissue independent claims over original patent.

 6. Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

 7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02-2666. Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

 a. Fees required under 37 CFR 1.16.

 b. Fees required under 37 CFR 1.17.

 c. Fees required under 37 CFR 1.18.

 8. A check in the amount of \$ 740.00 is enclosed.

 9. Payment by credit card. Form PTO-2038 is attached.

 10. Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.

 11. New Attorney Docket Number, if desired _____
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

 12. a. Receipt for Facsimile Transmitted CPA (PTO/SB/29A)
b. Return Receipt Postcard (Should be specially itemized, See MPEP 503)

 13. Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i). **Applicant must attach form PTO/SB/35 or its equivalent.** (Reminder: First investigate foreign filing question).

 14. Other: Express Mail Certificate of Mailing; Petition for Extension of Time
NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Label
OR (Insert Customer No. or Attach Bar Code Label here)

 New Correspondence Address Below
NAME Michael A. Bernadicou

 ADDRESS BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
12400 Wilshire Boulevard

 CITY Los Angeles STATE California ZIP CODE 90025-1026
COUNTRY USA TELEPHONE (408) 720-8300 FAX (408) 720-9397
15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

 NAME Michael A. Bernadicou SIGNATURE Michael A. Bernadicou

 REGISTRATION NO. 35,934 DATE 8/19/02



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AUG 22 2002

EXPRESS MAIL CERTIFICATE OF MAILING

"Express Mail" mailing label number: EL821774952US

Date of Deposit: August 19, 2002

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Terence Edwards

(Typed or printed name of person mailing paper or fee)

Terence Edwards

(Signature of person mailing paper or fee)

August 19, 2002

(Date signed)

Serial/Patent No.: 19/475,452 Filing/Issue Date: December 30, 1999
Client: Intel Corporation
Title: A NOVEL MOS TRANSISTOR STRUCTURE AND METHOD OF FABRICATION

BSTZ File No.: 042390P7794

Atty/Secty Initials: MAB/te

Date Mailed: August 19, 2002 Docket Due Date: August 19, 2002

At & Trademark Office on the date stamped hereon:

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

Amendment/Response (____ pgs.) Express Mail No. EL821774952US Check No. 51993
 Appeal Brief (____ pgs.) (in triplicate) TWO Month(s) Extension of Time Amt: \$740.00
 Application - Utility (____ pgs., with cover and abstract) Information Disclosure Statement & PTO-1449 (____ pgs.) Check No. 51994
 Application - Rule 1.53(b) Continuation (____ pgs.) Issue Fee Transmittal Amt: \$400.00
 Application - Rule 1.53(b) Divisional (____ pgs.) Notice of Appeal
 Application - Rule 1.53(b) CIP (____ pgs.) Petition for Extension of Time
 Application - Rule 1.53(d) CPA Transmittal (____ pgs.) Petition for _____
 Application - Design (____ pgs.) Postcard
 Application - PCT (____ pgs.) Power of Attorney (____ pgs.)
 Application - Provisional (____ pgs.) Preliminary Amendment (____ pgs.)
 Assignment and Cover Sheet Reply Brief (____ pgs.)
 Certificate of Mailing Response to Notice of Missing Parts
 Declaration & POA (____ pgs.) Small Entity Declaration for Indep. Inventor/Small Business
 Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.) Transmittal Letter, in duplicate
 Drawings: _____ # of sheets includes _____ figures Fee Transmittal, in duplicate

Other: Express Mail Certificate of Mailing

EL821774952US



Serial Docket No.: 042390P7794

Patent

#11/Pre-Grant
Appeal
9/8/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
Anand Murthy et al.)
Application No: 09/475,452)
Filed: December 30, 1999)
For: A NOVEL MOS TRANSISTOR)
STRUCTURE AND METHOD OF)
FABRICATION)

Examiner: Lee, Eugene

Art Unit: 2815

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AUG 22 2002

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Assistant Commissioner for Patents
Box CPA
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

In response to the Final Office Action mailed March 19, 2002, Applicant respectfully requests the Examiner to enter this Continued Prosecution Application (CPA) and Preliminary Amendment.

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231

on August 19, 2002 _____
Date of Deposit

Teresa Edwards _____
Name of Person Mailing Correspondence

Signature

Date